

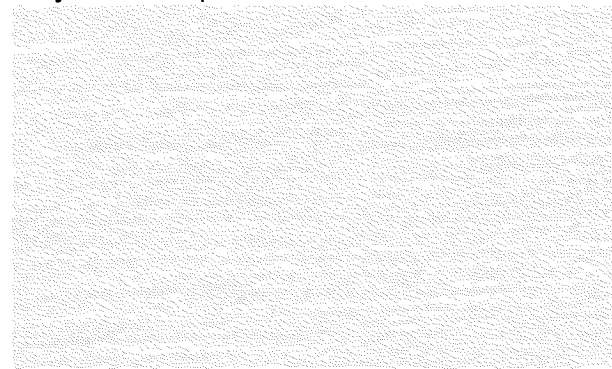
**To:** Petrow, Carol[petrow.carol@epa.gov]  
**From:** Martinsen, Jessica  
**Sent:** Tue 6/24/2014 7:28:50 PM  
**Subject:** Re: Request for Associate Reviews on Tri-City Properties: 1of 2

.....Sorry Carol. I have been out of the office today in the all-managers meeting and still am. I don't have a problem with you going out in the field tomorrow to assist in the field. We should catch up in person on Thursday.

Take care,  
Jess

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**From:** Petrow, Carol  
**Sent:** Tuesday, June 24, 2014 12:58:10 PM  
**To:** Martinsen, Jessica  
**Cc:** Rudnick, Barbara  
**Subject:** RE: Request for Associate Reviews on Tri-City Properties: 1of 2



Sounds good.

## Ex. 5 - Deliberative Process, non-responsive

Carol

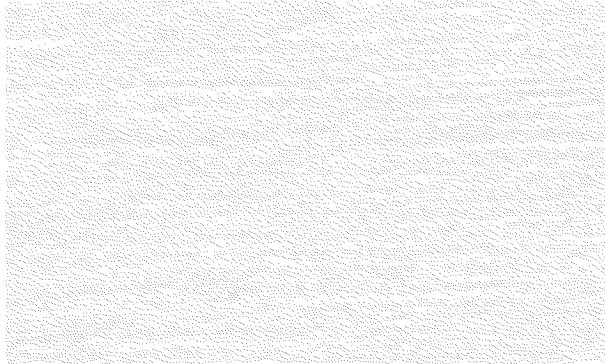
**From:** Martinsen, Jessica  
**Sent:** Tuesday, June 24, 2014 12:30 PM  
**To:** Petrow, Carol  
**Cc:** Rudnick, Barbara  
**Subject:** Re: Request for Associate Reviews on Tri-City Properties: 1of 2

Thanks Carol. I will follow up with this tomorrow.

Jess

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**From:** Petrow, Carol  
**Sent:** Tuesday, June 24, 2014 12:23:47 PM  
**To:** Martinsen, Jessica  
**Cc:** Rudnick, Barbara  
**Subject:** Request for Associate Reviews on Tri-City Properties: 1 of 2



Jessica

In advance of issuing the public notice, the Norfolk District Corps recently forwarded updated information pertinent to the 404(b)(1) analysis for a revised proposed Tri-City Properties mixed-use development in Chesapeake, VA. After reviewing this information and in light of our discussion of the proposal, I am requesting associate review of the project by the following: NEPA, OMA and Office of Regional Council.

Focus includes, but is not limited to:

NEPA: EPA previously requested preparation an EIS be considered. Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

OMA: EPA previously requested information and assessment of aquatic resources: direct, secondary and cumulative impacts. Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

ORC: Previous EPA enforcement action on the site (circa 2000), state permit issued in 2003, and EPA regulatory approach. Ex. 5 - Deliberative Process

## Ex. 5 - Deliberative Process

### Abbreviated Project Background:

This proposed project is a 53.8 acre development with 24.6 acre of wetland impacts. Previously, the applicant a 61.1 acre development with impacts to 29.8 acres of

wetlands (2009). The area proposed for development is in the northwestern portion of a larger +428 acre tract of land with frontages on Centerville Turnpike and Elbow Road.

The Corps has issued the following public notices with regards to the Tri-City development:

February 1, 2005: Full site development with 144.6 acres of wetland impacts

January 30, 2007: Full site development with 181.3 acres of wetland impacts

August 4, 2009: Reduced development with 29.8 acres of wetland impacts

EPA sent 3a and 3b letters in 2005 and submitted additional comment letters to the Corps reaffirming the Agency's position in 2007 and 2009.

**Information:**

Attached is the information the Corps recently provided. If any reviewers would like additional information, I can provide it upon request.

1) Cover letter gives an overview of the issues provides the applicant's responses to comments from the Corps and EPA. If an issue is discussed in more detail in the Supplemental Joint Permit Application, a reference to that document is provided.

2) Overall Site Plan is provided for the alternative the applicant has identified as the LEDPA. Drawings show the area proposed for development and an conceptual layout (subject to change).

3) Supplemental Joint Permit Application (forwarded in a separate email). This document includes additional, detailed information on the project history, purpose, wetland functional assessment, alternatives, significant degradation assessment, secondary and cumulative effects, and mitigation.

**Schedule:**

A site visit is scheduled on July 10, 2014. The Corps is in the process of confirming the delineation.

**Ex. 5 - Deliberative Process**

**Ex. 5 - Deliberative Process**

With your consent, I will schedule a meeting of reviewers the week of July 14<sup>th</sup>. This date may be advanced if the public notice is issued before the site visit.

Please add to or refine the above associate review requests, as necessary, and forward to the appropriate managers.

Thanks.

Carol